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July 6, 2009

BY HAND DELIVERY AND ECF

The Honorable Jack B. Weinstein
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

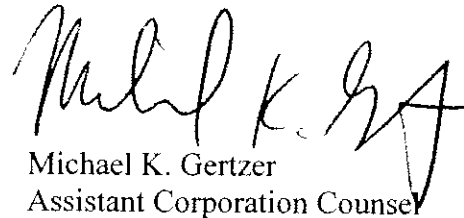
Re: Sandra Woodbury v. City of New York, et al., 08 Civ. 4229 (JBW)(RER)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the above-referenced matter. Enclosed please find the original Stipulation and Order of Settlement and Dismissal in the above-referenced matter for the Court's endorsement and filing.

Thank you for your consideration herein.

Respectfully submitted,


Michael K. Gertzer
Assistant Corporation Counsel

encl.

cc: Michael C. Hueston, Esq. (via ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANDRA M. WOODBURY,

Plaintiff,

-against-

**STIPULATION AND ORDER
OF SETTLEMENT AND
DISMISSAL**

08 Civ 4229 (JBW)(RER)

THE CITY OF NEW YORK, COMMISSIONER
RAYMOND W. KELLY, LT. GARY MESSINA; SGT.
MICHAEL HARTMAN; SGT. JAMERSON-BARRET;
P.O. CHRISTOPHER GARGANO; P.O. ADAM
DEOLIVIERA and POLICE OFFICER JOHN DOES #1-5;
the individual defendants sued individually and in their
official capacities,

Defendants.
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WHEREAS, plaintiff commenced this action by filing a complaint on or about October 17, 2008, alleging that defendants violated plaintiffs' federal civil and state common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed against defendants, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiff Sandra Woodbury Twenty-Five Thousand (\$25,000.00) Dollars in full satisfaction of all of her claims, including claims for costs, expenses and attorneys' fees. In consideration for the payment of this sum, plaintiff agrees to

dismissal of all the claims against defendants and to release the defendants and any present or former employees and agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action which were or could have been alleged in this action, including claims for costs, expenses and attorneys' fees.

3. Plaintiff shall execute and deliver to defendant City of New York's attorney all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraph 2 above and Affidavits of No Liens.

4. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

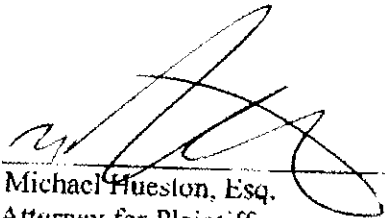
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York, or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
June 25, 2009

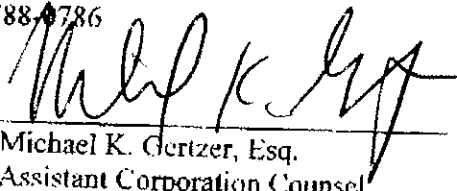
MICHAEL HUESTON, ESQ.
Attorney for Plaintiffs
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(212) 643-2900

By:


Michael Hueston, Esq.
Attorney for Plaintiff

MICHAEL A. CARDOZO
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Attorney for Defendants City of New York,
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Deoliviera and Kelly
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(212) 788-0786

By:


Michael K. Gertzer, Esq.
Assistant Corporation Counsel

SO ORDERED:

U.S.D.J.